

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff

v.

(1) ANTHONY SMITH,
Defendant

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No. 1:22-CR-00125-LY

ORDER

Before the Court is Defendant's Unopposed Motion for Modification of Conditions of Release, Dkt. 29. The District Court referred the motion to the undersigned for disposition. Dkt. 30. Defendant seeks to modify Condition 7(p) of the Order Setting Conditions of Release, which subjects Defendant to home detention. Dkt. 29; *see* Dkt. 25, at 2 (Order Setting Conditions of Release). The motion indicates that Defendant has been in strict compliance with all of his conditions; he is employed, has provided check stubs as proof, has not missed any required appointments or treatment sessions; nor has he had any violations on home detention. Dkt. 29, at 1. Defendant seeks to amend Condition 7(p) to replace home detention with a curfew monitoring schedule. Defendant proposes a curfew that would allow for him to work more hours while still being monitored by pretrial services. Defendant requests that he be restricted to his residence every day from 5:00 p.m. to 6:00 a.m., or as directed by, or with prior approval from, the pretrial services office or supervising officer. The parties have discussed this modification and the Government and Pretrial Services do not object to Mr. Smith's request.

For the foregoing reasons, the Court **GRANTS** Defendant's motion, Dkt. 29, and **ORDERS** that the Order Setting Conditions of Release, Dkt. 25, be **MODIFIED** to remove the "Home Detention" condition selected at paragraph 7(p)(ii) and to impose instead the "Curfew" condition found at paragraph 7(p)(1), as follows:

You are restricted to your residence every day from 5:00 p.m. to 6:00 a.m., or as directed by, or with prior approval from, the pretrial services office or supervising officer.

SIGNED December 27, 2022.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE